

United States v. Jose Camacho-Melendez, 08cr0724-WQH  
Response in Opposition to Defendant's Motions in Limine

## APPENDIX 1



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May 5, 2008

**VIA FACSIMILE AND FIRST-CLASS MAIL**

Kasha Pollreisz, Esq.  
Federal Defenders of San Diego, Inc.  
225 Broadway, Suite 900  
San Diego, CA 92101

Re: United States v. Jose Elias Camacho-Melendez, 08cr0724-WQH

Dear Ms. Pollreisz:

This letter serves as the Government's notice of evidence to be presented at trial in the above-referenced case pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), and Federal Rules of Evidence 702, 703, and 705. Specifically, the Government may also elicit testimony from Customs and Border Protection Officer Diana Contreras regarding TECS data. Although the Government does not necessarily believe that Officer Contreras is an expert witness under Federal Rule of Criminal Procedure 16(a)(1)(G), we, nonetheless, inform you that she will testify regarding the maintenance and generation of TECS data, and will explain the TECS data pertinent to this case. Officer Contreras will base her testimony on her background, education, experience, training and her familiarity with the TECS system.

Additionally, although the Government does not necessarily believe that TECS data constitutes "other act" evidence under Federal Rule of Evidence, 404(b), in an abundance of caution, this letter will serve as notice that the Government, at trial, may introduce testimony and other evidence regarding TECS data. Generally, this evidence relates to Defendant's crossing history at the United States - Mexico border as well as the crossing history of vehicles driven and/or registered to Defendant. The United States has already produced relevant data from the TECS system in discovery in this case and will continue to comply with its discovery obligations.

Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(C), the Government hereby requests a written summary regarding any experts that the Defendant may call at trial. Please contact me if you

Kasha Pollreisz, Esq.


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have questions regarding this notice.

Very truly yours,

KAREN P. HEWITT  
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